

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

United States of America,

Plaintiff,

No. **05CR1849 JH**

-VS-

JOHN PATRICIO NIETO,

Defendant.

**NOTICE OF UNAVAILABILITY**

Charles S. Aspinwall, Attorney for Defendant, notifies the Court and counsel that he will be unavailable due to family and educational commitments from October 5, 2009 through October 9, 2009, and October 15 and 16, 2009.

CHARLES S. ASPINWALL, LTD. CO.  
LAWYERS

BY: **Electronically Filed**

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I certify that I caused a copy  
of this pleading to be served  
upon counsel of record  
through the auspices of CM/ECF  
USDCNM on September 29, 2009.

          ELECTRONICALLY SIGNED            
CHARLES S. ASPINWALL